

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

VANESSA RASBERRY

V.

**CAPITOL COUNTY MUTUAL FIRE
INSURANCE COMPANY, ET AL.**

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NO. 1:08-CV-392

ORDER ADOPTING UNITED STATES MAGISTRATE JUDGE’S REPORT

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, for pretrial proceedings pursuant to an order of reference entered on August 4, 2008. The court has received and considered the report of the United States magistrate judge, who recommends that the court grant plaintiff’s motion to remand.

Defendant objects to the magistrate judge’s findings, conclusions, and analysis. This requires a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made. 28 U.S.C. § 636(b)(1)(C). After conducting such review, the court concludes that the magistrate judge’s findings, conclusions and analysis are correct.

Accordingly, defendant’s objections are **OVERRULED**, and the magistrate judge’s report is hereby **ADOPTED**. It is further

ORDERED that “Plaintiff’s Motion to Remand” (Docket No. 12) is **GRANTED**. An order

remanding this action to the 58th Judicial District Court of Jefferson County, Texas will be entered separately.

The purpose of the referral having been served, it is further **ORDERED** that the reference to the magistrate judge is **VACATED**.

So **ORDERED** and **SIGNED** this **18** day of **February, 2009**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge